

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

FRANK DOMINIC DUNDEE,	)	CASE NO. 1:19cv01141
	)	
Plaintiff,	)	JUDGE DAN AARON POLSTER
	)	
v.	)	MAGISTRATE JUDGE
	)	JONATHAN D. GREENBERG
UNIVERSITY HOSPITALS CORP,	)	
et al.,	)	
	)	<b>CASE MANAGEMENT</b>
Defendants.		<b>CONFERENCE MINUTE</b>
		<b>ORDER</b>

A telephonic case management conference was conducted with counsel in this matter October 15, 2019. The following were in attendance:

Frank Dundee, *pro se*, for Plaintiff.

Donald C. Bulea for Defendants University Hospital Health Systems, Inc., Danealle Lynce, Jason Glowczewski, Shawn Osborn and Rachael Lerman.

All parties do \_\_\_\_\_ do not **X** consent to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

The Court encourages the parties and counsel to discuss the possibility of settlement while the case is progressing. If a settlement is reached, the parties shall timely submit a stipulation of settlement and dismissal, or otherwise notify the Court that such a stipulation is in progress by contacting the Court's Courtroom Deputy, Stacey Swonger, at 216-357-7130.

**1. Case Management Dates and Track Assignment**

This case is assigned to the **STANDARD** track pursuant to Local Rule 16.2.

The deadline for amending the pleadings and or adding additional parties is **OCTOBER 16, 2019.**

All Non-Expert discovery shall be completed on or before **MARCH 31, 2020.**

The parties   X   do or        do not anticipate the need for expert testimony.

Dispositive motions must be filed on or before **APRIL 17, 2020.** Responses to dispositive motions must be filed within thirty (30) days of the filing of the dispositive motion. Replies must be filed within fourteen (14) days of the filing of the response. (See Local Rule 7.1). **No sur-reply brief may be filed without leave of Court.** The filing of a dispositive motion before the end of discovery does not relieve the parties of their obligation to meet the discovery deadlines set forth in this order.

Without leave of Court, no discovery materials shall be filed, except as necessary to support dispositive motions. If a party intends to rely on deposition testimony in support of its position on a motion, the Court prefers the filing of the entire deposition rather than excerpts, unless the party truly believes that excerpts are sufficient, and with the proviso that any other party who believes the excerpts offered are not sufficient is free to file the entire deposition. In any event, discovery and disclosure material submitted in support of any party's position shall be filed at the same time as that party's memorandum setting forth its position. **Factual allegations or arguments relying upon the record that do not cite to the record or are unsupported by the record citation, will not be considered by the Court.**

## **2. Discovery**

The parties have exchanged pre-discovery disclosures.

The parties (indicate one):

\_\_\_\_\_ agree that there will be no discovery of electronically-stored information; or

  X   have agreed to a method for conducting discovery of electronically-stored information; or

\_\_\_\_\_ have agreed to follow the default standard for discovery of electronically-stored information (Appendix K to the Local Rules for the Northern District of Ohio).

**The parties are reminded of their obligations under Fed. R. Civ. P. 26, as amended.**

**No witness or exhibit will be permitted unless provided to opposing counsel in accordance with Fed. R. Civ. P. 26. The Court directs the parties to comply with Local Rule 30.1 and 37.1 before filing any motions seeking aid from the Court in discovery matters. No motions pertaining to discovery disputes may be filed without prior authorization from the court. Leave to file such motions will not be granted unless the parties have complied with the local rules and have attempted to resolve the dispute with the court's aid by way of a telephone conference.**

**3. Electronic Filing & Notifications**

This case is subject to mandatory electronic filing pursuant to Local Civil Rule 5.1(c). If it has not already been done, all counsel must complete Attorney Registration Forms and return them to the Clerk of Court as soon as possible so that attorney user accounts can be established. An Attorney Registration Form is in the Policies and Procedures Manual. In addition, counsel can easily register online at:

[http://www.ohnd.uscourts.gov/Online\\_Forms/ECF\\_Attorney\\_Registration/ecf\\_attorney\\_registration.html](http://www.ohnd.uscourts.gov/Online_Forms/ECF_Attorney_Registration/ecf_attorney_registration.html)

Plaintiff, as a *pro se* litigant, may register to receive a “read only” electronic filing account so that he/she may access documents in the system and receive electronic notice, but all his/her filings must be completed manually, as typically only registered attorneys, as Officers of the Court, are permitted to file electronically.

Only counsel of record will be notified of court proceedings. Moreover, both counsel and *pro se* litigants have an affirmative duty to notify the Court of any change in address and/or other contact information. Counsel shall follow the instructions for updating contact information via the procedures set forth on this Court’s public website. See Attorney Registration Change of Name/Address instructions set forth at [www.ohnd.uscourts.gov](http://www.ohnd.uscourts.gov). *Pro se* litigants shall file a written notice of change of address with the Court.

#### 4. ADR

After discussion with the parties, the Court determined that Alternate Dispute Resolution \_\_\_\_ would X would not be useful at this time; the appropriate mechanism is:

- a. Early Neutral Evaluation \_\_\_\_\_
- b. Mediation \_\_\_\_\_
- c. Arbitration \_\_\_\_\_
- d. Summary Jury Trial \_\_\_\_\_
- e. Summary Bench Trial \_\_\_\_\_

The parties will reconsider whether mediation is appropriate after the close of discovery.

#### 5. Extensions

Any request for an extension of any deadline must be made ***before*** the deadline date, but such requests will not be routinely granted.

6. **Status Conference**

A   X   telephonic        in-person status conference with counsel and clients will be held on **DECEMBER 2, 2019, at 11 a.m.** Parties shall use previously provided dial-in instructions.

An        telephonic   X   in-person status conference with counsel and clients will be held on **FEBRUARY 3, 2020, at 10 a.m. in Chambers 10B.**

**Parties are reminded to comply with all Local Rules, including, but not limited to, the page limitations for briefs and formatting requirements for briefs.**

IT IS SO ORDERED.

*s/ Jonathan D. Greenberg*

Jonathan D. Greenberg  
U.S. MAGISTRATE JUDGE

Date: October 16, 2019